



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/753,585	01/02/2001	Shigefumi Odaohara	JP919990174US1	1875

7590

07/30/2003

BRACEWELL & PATERSON LLP
INTELLECTUAL PROPERTY LAW
P.O. BOX 969
AUSTIN, TX 78767-0969

EXAMINER

PHAN, RAYMOND NGAN

ART UNIT

PAPER NUMBER

2181

DATE MAILED: 07/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/753,585

Applicant(s)

ODAOHHARA, SHIGEFUMI

Examiner

Raymond Phan

Art Unit

2181

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: .

Art Unit: 2181

Part III DETAILED ACTION

Notice to Applicant(s)

1. This application has been examined. Claims 1-12 are pending.
2. The Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group Art Unit 2181.

Specification

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

5. Claims 1-12 are rejected under 35 U.S.C. § 102(e) as being anticipated by Townsley et al. (US No. 6,202,171).

In regard to claims 1, 10, 12, Townsley et al. disclose a power source switching unit for supplying electric power to computer loads by an external power source and a plurality of batteries, comprising an external power circuit to supply electric power from the external power source to the computer loads (see col. 7, lines 6-58); a detector to detect loss of electric power supplied from the external power circuit (see col. 6, lines 36-47); a plurality of battery power supply circuits to supply electric power from the plurality of batteries to the computer loads (see col. 5, lines 35-50); a charging device to charge at least one of the plurality of batteries with electric power supplied from the external power circuit (see col. 6, lines 10-35); a switching device to switch the battery power supply circuit to supply electric power from at least one of the plurality of battery power supply circuits to the computer loads within a predetermined time in response to the detector, while the charging device is charging the at least one of the plurality of batteries and also supplying electric power from the external power source to the computer loads (see col. 6, lines 10-57); and temporary power supply device to supply electric power to the computer load only for at least the predetermined time in response to the detector (see col. 6, lines 10-49).

In regard to claim 2, 5, Townsley et al. disclose the plurality of switches connected to the plurality of battery power circuits wherein the electrical power is supplied to computer loads by switching on the switch when a battery corresponding to the battery power supply circuit is charging (see col. 7, line 59 through col. 8, line 20)

In regard to claims 3-4, 6-7, Townsley et al. disclose the plurality of switches connected to the plurality of batter power circuits wherein electric power is supplied to the computer loads when electric power is supplied from the corresponding battery to the computer loads (see col. 7, line 59 through col. 8, line 20).

In regard to claim 8, Townsley et al. disclose a switching control device to control the plurality of switches (see col. 7, lines 59-67).

In regard to claim 9, Townsley et al. disclose wherein the one of the plurality of batteries is a fixed battery to supply electric power independent of the electric power supplied from the external power source (see col. 5, lines 34-59).

In regard to claim 11, Townsley et al. disclose the switches as FETs (see col. 7, lines 13-16).

Conclusion

6. All claims are rejected.

7. The prior arts made of record and not relied upon are considered pertinent to applicant's disclosure.

Canova, Jr. et al. (US No. 5,230,074) disclose a battery operated computer power management system.

Jardine et al. (US No. 6,195,754) disclose method and apparatus for tolerating power outages of variation duration in a multi-processor system.

Weinstein (US No. 5,939,799) discloses an uninterruptible power supply with an automatic transfer switch.

Kim (US No. 5,886,424) discloses a power supply apparatus for portable computer and DC input selection circuit adapted to the same.

Shimamoto et al. (US No. 5,300,874) disclose an intelligent power supply system for a portable computer.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Raymond Phan, whose telephone number is (703) 306-2756. The examiner can normally be reached on Monday-Friday from 6:30AM- 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Primary, Paul Myers can be reached on (703) 305-9656 or via e-mail addressed to paul.myers@uspto.gov. The fax phone number for this Group is (703) 746-7239.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [raymond.phan@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.



Raymond Phan
7/26/03



PAUL R. MYERS
PRIMARY EXAMINER